

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH DAKOTA

ROOM 211

FEDERAL BUILDING AND U.S. POST OFFICE

225 SOUTH PIERRE STREET

PIERRE, SOUTH DAKOTA 57501-2463

IRVIN N. HOYT

BANKRUPTCY JUDGE

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April 7, 2006

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Subject: *In re Benjamin E. and Shelia D. Standing Bear,*
Chapter 7, Bankr. No. 05-50523

Dear Counsel:

On February 15, 2006, Debtors filed a motion seeking an order declaring that the following judgments (and two others) have been voided in bankruptcy pursuant to S.D.C.L. § 15-16-20:

State of South Dakota Meade County Clerk of Courts, judgment for \$223.50, dated June 16, 1994, Docket No. 46c93000209a0, Circuit Court, Meade County, South Dakota. (*Fines and costs*)

Meade County Clerk of Court, judgment for \$467.15, dated November 7, 1995, Docket No. 46C92000606A0, Circuit Court, Meade County, South Dakota. (*Fines and costs*)

By Order entered March 6, 2006, the Court requested short briefs from Debtors and the State or Meade County to ensure the judgments were not for criminal fines or penalties, which are excepted from discharge under 11 U.S.C. § 523(a)(7). Only Debtors

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filed a brief.¹ They stated, on personal knowledge only, that the subject debts arose from medical bills incurred by Debtors and paid by Meade County.

Accordingly, since the record does not show the subject debts arose from a criminal fine or penalty, the attendant judgments will be voided. An appropriate order will be entered.

Sincerely,



Irvin N. Hoyt
Bankruptcy Judge

INH:sh

CC: case file (docket original and serve parties in interest)

**On the above date, a copy of this document
was mailed or faxed to the parties shown on
the attached service list.**

**Charles L. Nail, Jr.
Clerk, U. S. Bankruptcy Court
District of South Dakota**

NOTICE OF ENTRY
Under Fed.R.Bankr.P. 9022(a)

This order/judgment was entered
on the date shown above.

Charles L. Nail, Jr.
Clerk, U.S. Bankruptcy Court
District of South Dakota

¹ The Court's scheduling order also provided that if the parties agreed the subject debts did not fall under § 523(a)(7), they could so inform the Court by letter, in lieu of filing briefs. No letter was received by the Court.

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